

LAW OFFICES OF

HARDIN, COOK, LOPER, ENGEL & BERGEZ

LAKE MERRITT PLAZA

1999 HARRISON STREET, EIGHTEENTH FLOOR

OAKLAND, CALIFORNIA 94612-3541

FACSIMILE: (510) 839-7940

(510) 444-3131

BARRIE ENGEL  
RAYMOND J. BERGEZ  
GEORGE S. PEYTON, JR.  
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RACHEL L. BARACK  
STEVEN K. LEE

JOHN C. LOPER  
PARTNER EMERITUS

J. MARCUS HARDIN (1905-1993)  
HERMAN COOK (1914-1982)

OF COUNSEL  
RONALD A. WAGNER  
LYDIA T. VAN'T ROOD

May 12, 1995

\* Certified Specialist, Estate Planning, Trust & Probate Law  
State Bar of California, Board of Legal Specialization

John Lyons  
Assistant Regional Counsel  
Office of the Regional Counsel, RC 3-2  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
Region IX  
75 Hawthorne Street  
San Francisco, CA 94105

Re: Request for Information to The Dow Chemical Company  
concerning the Montrose Chemical Superfund Site  
Los Angeles, California

Dear Mr. Lyons:

This letter supplements my letter of April 18, 1995 on behalf of The Dow Chemical Company ("Dow") in response to Region IX's request for information of April 17, 1995 made pursuant to Section 104(e) of CERCLA and concerning the Montrose Chemical Superfund Site, Los Angeles, California. I am making this response as principal outside counsel in the several litigation matters, involving in separate actions both CERCLA and common law claims, relating to the adjacent Del Amo site. This letter constitutes Dow's final response to that request.

Item 1: Dow has no information responsive to this request.

Item 2: Dow has no information responsive to this request.

Item 3: We previously indicated that we understood that Clarence Sweet, a former Dow manager at the Torrance styrene plant (Plancor 929) who later worked for Shell Oil Company at the same plant, had knowledge concerning the transporting of dirt from the former Montrose Chemical site on Normandie Boulevard in Torrance to the neighborhood along 204th Street and that the soil may have been used for lot leveling. During a subsequent interview with Mr. Sweet, in which your office participated, Mr. Sweet said that while he had speculated that this was the source of DDT-contaminated soil in the neighborhood, he had no direct knowledge.

John Lyons, Assistant Regional Counsel, U.S. EPA  
May 12, 1995  
Page -2-

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Subsequently, we received a request to advise your office whether Richard Dodge, another former Dow manager and later a Shell manager at the Torrance styrene plant, had information concerning this issue. I posed the question to Mr. Dodge while meeting with him last month in Boston to prepare for a deposition. He was unable to offer any information concerning either lot leveling in the neighborhood or the source of DDT-contaminated soils in the neighborhood adjacent to the former styrene plant.

Item 4: See the response to item 3.

In making this response, Dow does not waive any attorney-work-product privilege that it may have under the law with respect to the result of any investigations conducted by counsel and relating to matters addressed in the request or more generally to either the Montrose or Del Amo sites.

Very truly yours,

HARDIN, COOK, LOPER, ENGEL & BERGEZ

By:

  
Stephen McKae

SM/o

cc: Scott R. Pennock, Esq. (by mail)